

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

CHAMBER SUMMONS NO.1107 OF 2004
IN
APPEAL NO.620 OF 2003
IN
SUIT NO.2664 OF 1988

M/s.Hems' Apparels

.. Appellant

v/s.

1. Rashtriya Banjiya Bank & ors. .. Respondents

Ms.Heena Chheda i/by M/s.Hariani & Co.for
appellant.

CORAM : R.M.LODHA AND
J.P.DEVADHAR, JJ.

DATED : 27th August, 2004

P.C.

We are informed by the learned counsel for the appellant that the chamber summons has been served upon the contesting respondent.

2. Nobody appears for the contesting respondent. By means of this chamber summons, the appellant prays for adding new grounds in the memo of appeal as per the schedule annexed to the chamber summons.

3. The appeal has not yet been admitted and is at the motion hearing stage. In our view, no prejudice would be caused to the contesting respondent if the appellant is permitted to amend the memo of appeal by setting up few fresh grounds.

4. The chamber summons is accordingly, granted in terms of prayer (a). Prayer (a) reads thus-

"(a) that the Appellant be permitted to carry out the amendments in the Appeal as per the Schedule annexed hereto."

5. Necessary amendment be carried out in the memo of appeal within two weeks from today.

6. Office is directed to post the appeal for admission thereafter.

Certified copy expedited.

(R.M.LODHA, J.)

(J.P. DEVADHAR, J.)